

UNITED STATES DISTRICT COURT

Southern

District of

New York

SETH GOLDMAN, individually and  
on behalf of all others similarly situated,

SUMMONS IN A CIVIL ACTION

V.

FISHER-PRICE INC., and MATTEL, INC.

CASE NUMBER: 07 CV

TO: (Name and address of Defendant)

FISHER-PRICE, INC.  
636 GIRARD AVENUE  
E AURORA, NEW YORK, 14052  
MATTEL, INC.  
333 CONTINENTAL BOULEVARD  
EL SEGUNDO, CALIFORNIA, 90245-5012

-AND-

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Steven M. Hayes, Esq.  
HANLY CONROY BIERSTEIN SHERIDAN FISHER & HAYES LLP  
112 Madison Avenue, 7th Floor  
New York, New York 10016

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

AUG 31 2007

CLERK

DATE

(By)  DEPUTY CLERK

**AFFIDAVIT OF SERVICE**U.S. District Court, County of **Southern District, NY**Index # **07 CIV 7764****8/31/07****Seth Goldman, individually and on behalf of all others similarly situated**

Plaintiff(s),

— VS. —

**Fisher-Price Inc., and Mattel, Inc.**

Defendant(s).

State of New York, County of **Erie** ss.:

**Jeffrey Eccleston** being duly sworn, deposes and says that deponent is over 18 years of age and not a party to this action; that on, **Mon, September 24, 2007** at approximately **10:00 AM** at **636 Girard Ave., E Aurora NY 14052** deponent served the annexed **Summons in a Civil Action and Class Action Complaint, Judge Assigned Individual Rules** on **Fisher-Price Inc.** in the following manner:

- ☐ Individual By delivering a true copy thereof to said recipient personally; deponent knew the person so served to be the described therein.
- ☒ Corporation By delivering to and leaving with **Ingrid Walters**  
**Administrative Assistant**
- ☐ Responsible Person By delivering to and leaving with \_\_\_\_\_ a true copy thereof, a person of suitable age and discretion. Said premises being the recipient's ☐ dwelling place ☐ place of business ☐ last known address. within the State of New York.
- ☐ Affixing to Door By affixing a true copy thereof to the door of said premises, which is recipient's ☐ dwelling place ☐ place of business ☐ last known address. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called thereon:
- ☐ Mail A true copy thereof was also deposited on \_\_\_\_\_ in a postpaid, properly addressed envelope, to the above address, bearing the legend "Personal and Confidential", in an official depository under the exclusive care and custody of the United States Postal Service.
- ☒ Description
- |  |  |  |   |  |   |  |
|--|--|--|---|--|---|--|
| <input type="checkbox"/> Male              | <input checked="" type="checkbox"/> White Skin | <input type="checkbox"/> Black Hair          | <input type="checkbox"/> White Hair         | <input type="checkbox"/> 14-20 Yrs.            | <input type="checkbox"/> Under 5'             | <input type="checkbox"/> Under 100 Lbs.          |
| <input checked="" type="checkbox"/> Female | <input type="checkbox"/> Black Skin            | <input type="checkbox"/> Brown Hair          | <input type="checkbox"/> Balding            | <input type="checkbox"/> 21-35 Yrs.            | <input type="checkbox"/> 5'0"-5'3"            | <input checked="" type="checkbox"/> 100-130 Lbs. |
|  | <input type="checkbox"/> Yellow Skin           | <input type="checkbox"/> Blond Hair          | <input type="checkbox"/> Mustache           | <input type="checkbox"/> 36-50 Yrs.            | <input checked="" type="checkbox"/> 5'4"-5'8" | <input type="checkbox"/> 131-160 Lbs.            |
|  | <input type="checkbox"/> Brown Skin            | <input type="checkbox"/> Gray Hair           | <input type="checkbox"/> Beard              | <input checked="" type="checkbox"/> 51-65 Yrs. | <input type="checkbox"/> 5'9"-6'0"            | <input type="checkbox"/> 161-200 Lbs.            |
|  | <input type="checkbox"/> Red Skin              | <input checked="" type="checkbox"/> Red Hair | <input checked="" type="checkbox"/> Glasses | <input type="checkbox"/> Over 65 Yrs.          | <input type="checkbox"/> Over 6'              | <input type="checkbox"/> Over 200 Lbs.           |

To the best of my knowledge the defendant/witness was not engaged in active military service.

Sworn to before me on **9/24/07**

**DENNIS DICKMAN**

Notary Public, State of New York

Qualified in Erie County

My Commission Expires **May 14, 2011**

**Jeffrey Eccleston**